THE SCRANTON TRIBUNE-FRIDAY, NOVEMBER 9, 1900.



It's a Hard Task 8

there, are great cracks around the doors and win-dows. Bosley's around the doors and win-dows. Bosley's Weather Strip for doors and win-dows will keep the cold sir out—also serves as a cushion for the door to strike against—does away with the slam. Made in rubber and felt. Prices from 2c to 6c per foot. 6c per foot.

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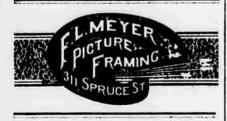
С С Foote & Shear Co. 119 N. Washington Ave 000000000000000



A SHOE SAIL.

People who count in proper shoes necessary to correct dress will be delighted with our nex-fail and Winter Shoes now on exhibition. I store full of new styles and every shoe a trize For swell footwear this is the store.

LEWIS, RUDDY, **DAVIES & MURPHY** 330 Lackawanna Avenue.



ackawanna · "THE" aundry. :c5 Penn Avenue. A. B. WARMAN. THE WEATHER YESTERDAY. Local data for Nov. S. 1980; lighest temperature 51 degree

Lowest temperature 45 degrees llumidity: 8 a. m. 93 per cent. 5 p. m. 86 per cent.

RAN IN FRONT OF THE CAR. Witnesses Tell at Longth of the Fiorito Accident. Nine witnesses were examined by Coroner Roberts in the inquest at the

court house last night, in the death of James Florito, the little boy who was killed by a trolley car on North Main avenue, near Jones street, Sunday

morning last. These were Ernest T. Horton, the motorman; Roy D. Bunnell, the conductor; William Marshall, of 1425 Main avenue, who saw the accident from the front porch of his residence; Patrick Gallagher, of Theodore street, who was a passenger on the car: Jerry Walsh. aged seven: John Waish, aged nine: Edward Savance, aged six; Raphael Vella, aged nine, who were at play with Florito when the accident occurred, and Thomas J. Mullen, the Scranton Railway company's master mechanic, who was called at the request of the

pilot board.

jury to give an expert explanation of he construction of the fender and The stories of the eye-witnesses were practically the same. There were a number of boys playing about the treet, it was made to appear, and one of their amusements was to run up to passersby with some gaily-pictured adertising dodgers which they found on the porch of a drug store. The Florito boy ran from the westerly to the east-

yond the former figure. erly side of the street to toss one of the dodgers to a man who happened along, and then, turning quickly, he started to run back. He had taken only one step on the track when the car was upon him. From the curb to the first rail is about ten feet. The fender struck him on the right leg and threw him to the ground, with his head across the easterly rail. The fender passed over him, the pilot board rolled him along for a short distance and then allowing him to pass beneath, the wheels of the forward truck caught him and crushed out his life. The second wheel was resting on his neck when the car stopped.

The jury brought in a verdict to the effect that the death was due to accident, for which the motorman was in nowise blameable. M. E. Sanders, Frank Damen, T. J. Duffy, W. G. Daniels, Thomas J. Hughes and William E. Kline composed the jury. Major Evbasis. erett Warren appeared in the interests of the trolley company.

DRIVER MANLEY'S THRILLING ESCAPE

The Carriage He Was Driving Struck by a Train and Thrown Down an Embankment-He Escaped Uninjured.

At the Lackawanna crossing near Taylor Eugene Manley, driver for Needham & McDonough, liverymen, met with an accident yesterday afternoon which nearly cost him his life. He was driving a hack in a funeral procession which was returning from Plitston, When it arrived at the crossing a freight train was being switched into a siding. The conductor cut the train in two to let the proces-

sion through. As the two ends of the parted train were very close together the view both up and down the second track was obscured. A second freight train was coming along on the other track, but Manley failed to hear it and started his horses across.

whipped his horses up. The animals

974 In 1880. Just as he passed the parted train he aw the other train approaching and

FEE SYSTEM MAY HOLD OVER

MATTER COUNTY OFFICERS ARE INTERESTED IN.

Constitution Says No Officer's Salary Can Be Changed "After His Election"-Supreme Court Has Held a Change Cannot Be Made in a Man's Term, and the opinion May Be Construed to Mean "After His Election"-Population of County to Be Announced Before Jan. 1.

Will the newly elected county officers be paid a salary or will they receive fees as heretofore after the population of the county is officially announced by the census department in Washington? This is a question which is being much discussed these days among the

new officials themselves, among the lawyers and among the taxpayers in general. One thing is certain. The population of the county will be nearer 200,000 than 150,000 and perhaps be-Now, the constitution provides that

in counties having a population of over 150,000 the fee system shall be abolished and that each officer shall receive a certain salary to be fixed by law. The constitution also contains a clause which reads as follows: "No law shall extend the term of any public officer or increase or diminish his salary or emoluments, af-ter his election or appointment." It will be noted that the above section says plainly "after his election or appointment." Local lawyers disagree in their interpretation of this section. Some contend that inasmuch

as the census returns showing the county to have a population of over 150,600 were not made public before the election that the fee system cannot be apolished for three years and that the officials elected Tuesday cannot legally be put upon a salaried

> OTHER CONTENTION. Others contend that if the official announcement of the population is

made before January 1, or before the officials assume office that the salary system will immediately go into effect. They look at the spirit rather than the letter of the law, and say that while the constitution reads "after his election" that what is meant is "after

he takes or assumes office." There are still others who contend that if the official announcement is made after January 1, or after the officers have taken up the duties of their office that immediately upon 14s being made the salary system will go into effect. Those who maintain this point have not much upon which to

base their arguments inasmuch as the Supreme court of the state has already decided that if the census announcement is made after an officer assumes office, he cannot be put upon a salaried basis. The case in which this opinion was handed down was in that of Guidin

vs. Schuylkill county, 1892. B. C. Guldin was elected coroner of Schuylkill county on Nov. 4, 1889, and his term of office began in January, 1890. In January, 1891, the 1890 census returns showed that Schuylkill county had a population of 154,162 as against 129,-

THE GULDIN SUIT.

Guldin tried to collect his fees for

the month of January, amounting to

some \$287, but was unable to do so as

holding him to the performance of his official duties for what, in an equitable sense, might be regarded as an agreed consideration, as well as of the inconvenience of a transition from the fee system to that of talary in the middle of a term and year may well CONGRESSMAN CONNELL WAS have had an influence in moulding this section" (Sect. 13. Art. 111). WARMLY CONGRATULATED. The opinion terminates with

order reversing the decision of the lower court and entering judgment in favor of the plaintiff Guidin for the full amount.

It will be noted that in this case census figures were not an nounced until 1891 or until a year after Guldin's induction into office. It is belleved, in fact, it has been announced, that they will be given out this year on ar about December 1, so that a new point will thus be raised. Judge Heydrick, in several places refers to the increase or reduction of

an officer's emoluments after his elec tion as opposed to the idea that this kept busy at his office yesterday resection of the constitution refers to ceiving and acknowledging the conthe time after an officer is sworn in gratulations of friends, which came by While he does not attempt to interpret letter and telegram from far and near Section 13, Art. III., nevertheless, it is and by the hundreds in person. Some easy to see, upon reading his opinion. of them are herewith reproduced: that he was firmly convinced at the time it was written that an officer a emoluments could not be changed after Dear Sir: Permit me to congratulate you on your election; a noble victory well deserved. That your health may be fully restored to en-

the actual date of his election. WORK OF COUNTING

TUESDAY'S BALLOTS

It Was Taken Up by the Court Yesterday-Must Be Completed by Saturday at Midnight.

I congratulate you most sincerely on what looks like a large majority for your successor. William Connell, M. C. I hope your life and health may be spared to be governor and sena-tor. I do not pretend to be a prophet, but you may remember what I told you five years ago. It will give the court all it can do to comply with the law requiring that the returns for presidential electors shall be tabulated and counted before 1:: o'clock of the Saturday night following election. Only twenty-one of the Hon, William Connell, City, 115 districts hal been handled at 5 Dear Sir: I desire to extend to you my most hearty and sincere congratulations over your o'clock yesterday, after the tabulators had been at work three and one-half splendid victory over Democracy and Spence nours. At this rate it will be neces sary to work 26 out of the 46 hours to complete the count in time. In 1892 the count was not complete

until 1145 p. m. Saturday and but for the work of Andrew Healey, whose ability in the way of rapid calculating is truly marvelous, it would have been long after midnight before the totals could be certified. His services may be in demand again to-morrow. The sheet on which the returns are entered is fifteen feet long by eight feet wide and contain about 50,000 sets

of figures. The count began at 1:45 o'clock yesterday afternoon and continued until 5 o'clock when a "ecess was taken till 7 o'clock. Two hours were put in last night and it is very likely sessions groundless. Hope you are well. will be had to-night and to-morrow night in addition to the morning and afternoon sessions.

Judge H. M. Edwards is presiding over the count. The clarks appointed to do the work are all members of the bar and are as follows:

Recording Clerks-George L. Peck, Walter L. Bevan, F. C. Hanyon, Richard J. Bourke. Reading Clerks-J. Elliot Ross, H. H. Harris. File Clerks-John B. Jordan, C. H. Soper, Bevan, F. state. William N. Leach.

When they adjourned last night they had reached Fell township. The count will be resumed at 8 o'clock this morn-Hon, William Connell, City, ing. No discrepancies of any moment were discovered, except that in the Third ward of Blakely the sealed returns showed that Mr. Conry received only 41 votes and not 141, as he was credited by the open returns.

A number of attorneys are present,



with the new." That's what we say: Off with the old and on with our Green Valley Rye.

Give it a trial. We feel sure you will be pleased with the change.

The Change

Of season on the calendar of

sport is, "Off with the old and on

CASEY BROS 216 Lackawanna Avenue, Scranton, Pa. PHONE 2162.

of Maine, through A. D. Blackington; Evan M. Evans, of Philadelphia; E. M Zehnder, president of the Scranton Bolt CAPS. and Nut company; Senator-elect William Drury, of Pittson; J. H. Schnerr, of Winton: H. A. Wilman, of Jermyn;

> For men and boys. The cap is more popular this season as a head covering than ever before. Our stock is complete in both sizes, shapes and colors.

Prof. Fisher, the undisputed champion cake walker, and who recently defeated Harry Williams and wife, champions of New York, is giving private instructions. Address 433 Spruce street.

Frederick Hartnoll, of Dunmore, and

Mr. Connell desires The Tribune to

bespeak for him his heartiest apprect-

ation of the congratulatory and well-

wishing messages, and to say that he

has set about the pleasant task of ac-

Make No Mistake.

See our platinette finish before hav-

ing your photos taken; you'll not only

get a colored miniature in a gold frame

with each dozen for \$3.50, but they will

be that clear finish you like so well.

knowledging them individually,

many others.

The Griffin Art Co.

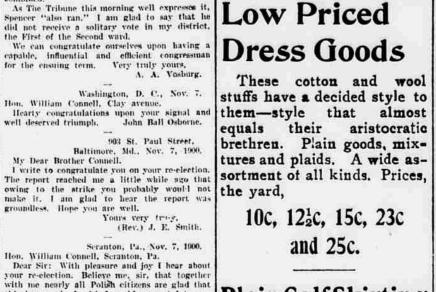
Plain Golf Skirting this happened. I wish I could congratulate yo in 1002 after your election for governor of ou There's an ever increasing Editor "Straz." demand for these very desirable Skirtings. We offer for the first time a new lot of

City, Nov. 7, 1900. Sir: 1 take the pleasure to express my sir cerest congratulations for your triumphant sur Plain Oxford Grey Skirtings, cers and that of the entire Republican party I have the honor to be, sir, Your obedient servant. extra heavy weight, first-class Joseph Aliberti, colors and the best value we

know of. Thirty inches wide. Dummore, Pa., Nov. 7, 1900.

CONRAD'S 305 Lackawanna Ave. The **House Beautiful** Ever realize how important CARPETS are in the furnishing of your home ?

This stock is absolutely new, each pattern selected not only for its beauty of design and coloring, but for its wearing qualities as well. It will pay you to investigate DRAPERIES, RUGS. WINDOW SHADES P. McCrea & Co 427 Lackawanna Ave.



As The Tribune this morning well expresses Spencer "also ran." I am glad to say that he did not receive a solitary vote in my district. the First of the Second ward. We can congratulate ourselves upon having a capable, influential and efficient congressman for the ensuing term. Very truly yours, A, A, Vosburg.

James Moir.

Washington, D. C., Nov. 7. Hon, William Connell, Clay avenue. llearty congratulations upon your signal and well deserved triumph. John Ball Osborne. well deserved triumph.

from Friends Far and Near.

Mayor Moir Indicted a Strong

Congratulatory and Commenda-

Congressman William Connell was

able you to discharge your public duties to your constituents and the republic with the same

eminent satisfaction as you have in the past is the earnest prayer of

Seranton, Pa., Nov. 7, 1900.

Yours most respectfully,

Scranton Nov. 7, 1900.

Sincerely yours.

Scranton, Pa., Nov. 7, 1900.

A. W. Dickson,

tory Epistle.

Hon, William Connell.

Dear Mr. Connell.

903 St. Paul Street. Baltimore, Md., Nov. 7, 1900. My Dear Brother Connell. I write to congratulate you on your re-election The report reached me a little while sgo that

Very respectfully.

A. Dangel



Sheriff-elect Charles H. Schult left for Philalelphia vesterday afterne

Miss Katherine Taggart, of Mulberry street, i visiting friends in Philadelphia.

Mrs. William Kelly entertained on Wednesday night in honor of her guest. Mrs. Fred Fowler, of Oxford, N. J.

Mrs. J. R. Cohen, of Madison avenue, is in Chicago. She was called there by the death of her uncle, S. Friend.

Dr. C. W. Wunder, of the Lackawanna hospital resident staff, has returned from his home in Philadelphia, where he, Tuesday, cast his ballot.

James Halpin, of Freehand, a young man with many friends in this city, has permanently located here. He is now employed by Frank O'Hara, the eigar dealer.

Edward Evertt Chase, of this city, was on Welnesday night married to Miss Altika Jana Turnbull, of Baltimore, in Emanuel Protestan Episcepal church in the latter city.

Rev. M. J. Fleming and Rev. P. E. Lavelle, city; Rev. Walter Gorman, of Minoolta, and Rev. Father Moffatt, of Taylor, who have been touring Europe, will arrive in New York this morning and will reach this city tonight.

VOTE FOR STATE SENATOR.

Cast in the Portion of Twenty-first District in the County.

Following is the vote cast Tuesday for the candidates in the portion of hannock. Subject, "Breaking Home the Twenty-first senatorial district Ties;" 3.45 p. m., Young Men's Christian within the boundaries of Lackawanna county:

DISTRICTS.	Drury, R.	Staples, D.	Hawley, Pro
Scott	195	632	10
South Abington, 1st dist,	89	11	- 0
South Abiogton, 2d dist	901	32	21
Bentou	139	1:7	10
Glenburn	- 61	- 19	1.4
West Abington	20	- 38	
La Plume	34	10	8
Dalton South Abington, 3d dist.	151	24	1.84
South Abington, ad dist	- 48	- 26	1
Waverly	- 50	82	15
Old Forge, 4th dist	147	. 36	- 5
Old Forge, 2d dist		- 33	
Taylor, 4th ward Taylor, 3d ward	- 81	24	5.5
Ransem, 1st dist.	- 84	65	ିକ
North Ablanton	15	15	
North Abington	41	17	4
	1326	563	109

2.24

PROGRESSIVE EUCHRE PARTY.

Enjoyable Affair Conducted by the Daughters of Erin.

Division No. 3, Daughters of Erin, conducted a very successful and enjoyable progressive eachre party last night in Guernsey hall. Nearly one hundred were seated at the tables when play was begun. A delicious supper was afterwards served and dancing indulged in.

The committee in charge of the affair was composed of the following mem-Misses Mary Lavelle, Annie bers: Kaney, Jennie Weir, Mary Duffy, Jennie Clarke, Mary Dougher, Katle Convey, Julia Holland, Margaret Gerrity and Margaret Lally.

The celebrated Royal Hungarian orrhestra will give a concert at the Coyne House tonight.

The Successful Candidates

in the county all smoke O'Hara's cigars. Moral: 431 Spruce street.

themselves had barely cleared the track when the carriage was struck and tossed down a steep embankment. together with the horses and Manley. All were piled in a promiscuous heap men came to the young driver's ashaving merely sustained a number of

severe body bruises. The horses were smashed beyond repair.

THE DRUMMER EVANGELIST.

Rev. W. H. Williams Has Returned

from Wyoming. "The Drummer Evangelist " Rev. W H. Williams, returned yesterday from Wyoming county, where he has been speaking nightly to very large congregations. Mr. Williams is now working

at both ends of the line. When he left he told his detective he wanted Joe Poli, of Ash street, arrested for running a speakeasy, which was done. Poli was brought before Alderman Howe, fined, and promised not to sell again

Mr. Williams speaks next Sabbath at for. 10.30 a. m. in the Baptist church, Tunk-hannock. Subject, "Breaking Home association, Scranton, subject, "The Young Man and His Company;" 6 p. m., First Weish Congregational church,

Hyde Park, subject, "The Last Romp With the Tiger;" 7.30 p. m., Christian church, Dunmore, subject, "The Last Romp With the Tiger." He leaves today for Berwick.

MCANDREW INQUEST.

Coroner's Jury Finds That He Was Killed by a North-Bound Train. Coroner Roberts conducted an inquest Wednesday at Carbondale in the case of Thomas McAndrew, who was killed on the Delaware and Hudson railroad. The following verdict was rendered:

"We, the jurors, find that said Thomas McAndrew came to his death at an early hour on Sunday, November 4, by being run over by cars on the Delaware and Hudson railroad. From the evidence before us we find that he was killed by a north-bound train, between the Ridge and Lookout, in the

Notige-Musicians.

city of Carbondale."

Local No. 120, Musicians' Protective association, will hold their last open meeting Sunday afternoon, November 11, 3 o'clock sharp, at 502 Cedar avenue. All instrumental musicians not having enrolled their names can do so before closing charter.

The Life of a Picture

Depends principally upon the care exercised in its framing. If the Griffin Art company frames

your pictures, great grandchildren may look upon the art works and like-nesses you treasured and see their beauty undimmed.

The celebrated Royal Hungarian orchestra will give a concert at the Coyne House tonight.

coroners in counties of over 150,009 are paid \$500 a year. He accordingly brought an action in assumpsit but the at the bottom when some of the train lower court decided against him entering judgment in favor of the desistance. He was extricated from the fendant county. He immediately apruins of the wagon with difficulty and pealed the case to the Supreme court was found to be practically uninjured, and it was argued in February, 1892. The defendant county admitted the correctness of the plaintiff's claims of slightly hurt, but the carriage was \$287, but contended that he was affected by the provisions of the act of 1876 fixing the salary of coroner at \$500 per year. The plaintiff contended that the act did not apply to him inasmuch as his emoluments would thus he diminished in violation of Sect. 13, Art. III. of the constitution prohibiting any increase or decrease of the salary of any officer after bis election.

The opinion in the case was written by Judge Heydrick. He pointed out that the population of the county 'y the census of 1880 was 129,974 and that this must be deemed to be the population at the time of Guldin's election. The judge pointed out that at the time of his election, therefore, the salary act of 1876 had no application to him or to the office he was running "To give it an application," says

the opinion. "after part of his term of office had expired would be to take away from him the fees authorized by law when he accepted the office. that is to say it would diminish his encoluments by law after his election and the result would be precisely the some as if the law were passed after his election, and would therefore by a violation of the prohibition directed against any change of valaries or em-oluments in office after his election.

MATTER OF JUSTICE. "A sense of the manifest justice, on

the one hand, of continuing to an officer the compensation prescribed by law at the time of his acceptance of

(CANNED.)

SIX SPECIALS THIS WEEK

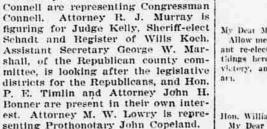
Snow Flake Corn, \$1.20 per dozen. Green String Beans, 85c per dozen. Coursen's Sweet Blossom Corn, (Baby Corn), value 18c per can, \$1.50 per dozen. Orchid Wrinkled Peas, \$1.50 per

Fenton's Hulled Corn, 8c per can. Fancy White Long Asparagus, 29c per can.

3-1b. Fancy Green Gages, \$1.50 per

dozen. rsen 429 LACKAWANNA AVE.

scanning the returns and watching for William Connell. discrepancies between the open and sealed tally sheets. Attorneys Charles E. Olver and Ezra





RESULTED IN DEATH

Frieda Herbst Died Yesterday at the Lackawanna Hospital-She Was

Run Over on the D. and H.

Frieda Herbst, the 11-year-old daughter of Mrs. Frieda Herbst of 1018 Moltke avenue, died at 7:30 o'clock vesterday morning at the Lackawanna hospital of the injuries received Wednesday noon at the Delaware and Hudson railroad crossing, near the Saquoit silk mill, where she was run

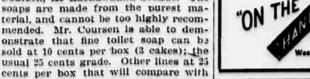
over by the 12:05 passenger train. The little girl was crushed under the car wheels and one of her legs was so terribly mangled that the limb was amputated at the Lackawanna hospital. She was brought into the institution about 1 o'clock Wednesday afternoon, in an unconscious state and never regained consciousness. Coroner Roberts performed an autopsy yesterday morning and found a frature at the base of the girl's

skull. He has not yet decided whether or not to hold an inquest.

The crossing at which the child was killed is a dangerous one, five persons having met death there within the last offide, and, on the lother hand, of two or three years. On account of a switch directly in the middle of the

street, it is impossible to see up the track either way yhen freight cars are on it. The residents of this section have sent several petitions to the councils to have this matter remedied, one petition having 1,500 names at-

Armour & Company, of Chicago, have given the exclusive sale of their toilet soaps in Scranton to Mr. E. G. Coursen, 429 Lackawanna avenue. The



...

any 50 cent soap on the market. Other styles are packed in beautiful boxes for Christmas gifts. Free samples, only at E. G. Coursen's

The Women's Guild, St. Luke's Church.

will hold a fair in the Parish House Dec. 6 and 7. Fancy and useful articles, dolls, home-made cake and candy will be for sale.

The Successful Candidates in the county all smoke O'Hara's cigars.

Moral: 431 Spruce street.



tached. 1900 Pack, on Sale.